



RECEIVED

JUN 20 2001

TECH CENTER 1600/2900

PATENT

Attorney Docket No: 28594/35007A

13
6/27/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Helmerhorst, et al.

Application Serial No. 09/400,769

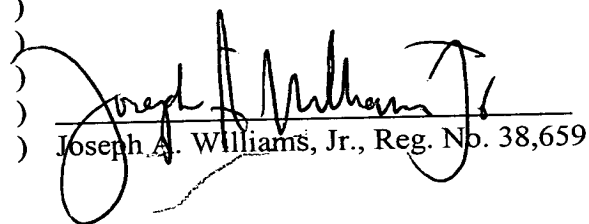
Filed: September 22, 1999

For: Use of Non-Peptidyl Compounds
for the Treatment of Insulin-Related
Ailments

Group Art Unit: 1653

Examiner: H. Robinson

) I hereby certify that this paper is being
) deposited with the United States Postal
) Service as First Class mail, postage
) prepaid, in an envelope addressed to:
) Commissioner for Patents, Washington,
) D.C. 20231, on June 13, 2001.


Joseph A. Williams, Jr., Reg. No. 38,659

APPLICANTS' ELECTION OF A SPECIES

Commissioner for Patents
Washington, DC 20231

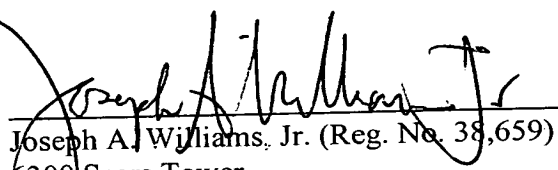
Sir:

In response to a communication from the Patent Office dated April 13, 2001, Applicants herein the compound elect 3-[4-[7-carboxy-9-oxo-3-[3-[2-ethyl-4-(4-fluorophenyl)-5-hydroxyphenoxy]propoxy]-9H-xanthene]]propanoic acid (which is the compound recited in claim 10 [viii]) for examination in the above application.

Respectfully submitted,

MARSHALL, O'TOOLE, GERSTEIN,
MURRAY & BORUN

By


Joseph A. Williams, Jr. (Reg. No. 38,659)
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6402
(312) 474-6300

June 13, 2001